REMARKS

Claims 1-25 are pending in the present application. Claims 1-25 have been examined, claims 1-15 and 18-25 are rejected, and claims 16 and 17 are allowed. In the above amendments, claims 1, 5, 6 and 20-25 have been amended. Applicant believes that the present application is now in condition for allowance, which prompt and favorable action is respectfully requested.

Allowed Claims 16 and 17

Applicant notes with appreciation the allowance of claims 16 and 17.

Rejection of Claims 1-15 and 18-25 Under 35 U.S.C. §102(e)

Claims 1-15 and 18-25 stand rejected under 35 U.S.C. §102(e) as being anticipated by Shiu *et al* (U.S. Patent No. 6,983,166).

Shiu discloses power control for a channel with multiple formats. Multiple individual outer loops are maintained for multiple transport formats. (See the Abstract and FIG. 7.) In each transmission time interval TTI(n), data is received for K transport channels. For each transport channel TrCH(k), a determination is made whether any transport block was received in error for that transport channel in that TTI. If any transport block in transport channel TrCH(k) in TTI(n) was received in error, then the target SNIR for each transport format actually used in TTI(n) is increased. (See column 14, lines 36-40 and block 722 in FIG. 7.) If all transport blocks in transport channel TrCH(k) in TTI(n) were received correctly with transport format TF(i), then the target SNIR for transport format TF(i) of transport channel TrCH(k) may be reduced or maintained. (See column 14, line 55 to column 15, line10 and blocks 736 and 738 in FIG. 7.) The target SNIR is thus maintained and adjusted for each transport format TF(i) of each transport channel TrCH(k) and is denoted as $SNIR_{TCk,TFi}(n)$. The largest target SNIR for all transport formats of all transport channels is provided as a reference target SNIR and used for power control. (See block 744 in FIG. 7.)

Claim 1 of the present application, as amended, recites:

> "A device in a wireless communication system, comprising:
>
> a data processor operative to process at least one data block, received in a current update interval and on at least one transport channel among a plurality of transport channels, and to provide a status of each of the at least one data block; and

> a controller operative to maintain a single signal quality (SIR) target for the plurality of transport channels, without maintaining an individual SIR target for each transport channel, to adjust the single SIR target based on the status of the at least one data block received in the current update interval, and to use the SIR target for power control of data transmission on the plurality of transport channels."

Applicant submits that claim 1 is not anticipated by Shiu for at least the following reasons.

First, Shiu does not disclose "a controller operative to maintain a single signal quality (SIR) target for the plurality of transport channels, without maintaining an individual SIR target for each transport channel," as recited in claim 1. Rather, Shiu discloses maintaining a separate target SNIR for each transport format of each transport channel, or individual target SNIRs for multiple transport channels. This is clearly shown by the use of $SNIR_{TCk,TFi}(n)$ to indicate that target SNIR is a function of both transport channel "TCk" and transport format "TFi" in FIGS. 7 and 11 of Shiu.

Second, Shiu does not disclose "adjust the single SIR target based on the status of the at least one data block received in the current update interval," as recited in claim 1. The single SIR target is for the plurality of transport channels and is adjusted in claim 1 based on data blocks received on these transport channels. In contrast, Shiu discloses adjusting the individual SNIR for each transport block of each transport channel, e.g., as shown in blocks 722, 736 and 738 in FIG. 7.

In summary, claim 1 maintains and adjusts a single SIR target for a plurality of transport channels whereas Shiu maintains and adjusts individual target SNIRs for multiple transport channels. Maintaining separate outer loops to adjust the individual SIR targets for different transport channels is disclosed in paragraph [1006] of the present application and may have the disadvantages disclosed in paragraph [1007]. In particular, adjusting individual target SNIRs may result in a scenario in which the power control for all transport channels is dominated by an intermittently active transport channel with the highest target SNIR, as disclosed in paragraph [1007].

For at least the above reasons, Applicant submits that claim 1 is not anticipated by Shiu. Independent claims 5, 6 and 20-25 have each been amended to recite the features noted above for claim 1. Claims 2-4 are dependent on claim 1, and claims 7-15, 18 and 19 are dependent on claim 6. These claims are not anticipated by Shiu for at least the reasons noted for claim 1

Accordingly, the §102(e) rejection of claims 1-15 and 18-25 should be withdrawn.

CONCLUSION

In light of the above, Applicant submits that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

Dated: _____

By: _____
Eric Ho, Reg. No. 39,711
Tel. No. (858) 658- 2752

QUALCOMM Incorporated
Attn: Patent Department
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 658-5787
Facsimile: (858) 658-2502